New Jersey Department of Children and Families Policy Manual

Manual:	CP&P	Child Protection and Permanency	Effective Date:
Volume:	X	Forms	
Chapter:	A	Forms	08-11-2015
Subchapter:	1	Forms	
Issuance:	9.28	**CP&P Form 9-28, Notification Letter to Perpetrator (Substantiated Perpetrator), If Child Abuse/Neglect is SUBSTANTIATED – with Freqently Asked Questions**	

Click here to view, print or complete the CP&P Form 9-28 on-line.

Click here to view or print the ATTACHMENT (confidentiality law, N.J.S.A. 9:6-8.10a, as amended).

WHEN TO USE IT

This letter is sent to a perpetrator (the "Substantiated perpetrator") when a protective service investigation has been completed by CP&P, child abuse/neglect is SUBSTANTIATED, and a Substantiated perpetrator is CONFIRMED.

The purpose of this letter is to:

- Provide official agency notification of a Substantiated protective service investigation finding;

- Identify the specific allegation of child abuse or neglect that was Substantiated, as provided in the CP&P Allegation-Based System;

- Identify the child or children who CP&P found, upon completing an investigation, to be abused or neglected by the Substantiated perpetrator;

- Notify the Substantiated perpetrator that his or her name will be retained in the Division's electronic and paper files;

- Inform the Substantiated perpetrator of his or her right to file an appeal within twenty (20) calendar days by requesting an Office of Administrative Law (OAL) hearing;

- Advise the Substantiated perpetrator that the Division is required, by law, to provide local/State police certain identifying information in Substantiated incidents of child abuse and neglect involving children who reside in their jurisdiction;

- Advise the Substantiated perpetrator that a Substantiated finding of child abuse/neglect could limit employment or volunteer opportunities, if he or she aspires to work with children; and
- Advise the Substantiated perpetrator that a Substantiated finding of child abuse/neglect could limit or prohibit his or her opportunity to foster or adopt a child in New Jersey.

Note: When investigating more than one child protective service allegation, use this letter when at least one allegation is "Substantiated."

HOW TO USE IT

The letter is prepared by the investigating Worker and signed by the Worker and the investigating Worker's Supervisor.

Note: Workers complete CP&P Form 9-28, in the NJS application. **Next, Workers find CP&P form 9-28 in the DCF Policy Manual.** The Worker prints out (pages 3 and 4) from the DCF Policy Manual, which is the frequently asked questions (FAQs) section of the updated form. Until this form (with FAQs) becomes available in NJS, Workers must print the FAQ pages and attach them to the NJS form (pages 1 and 2 from NJS). Once completed, Workers make a copy of the letter and the FAQ for the case file. Workers mail the letter with the FAQ pages to the appropriate person.

Special Note: The FAQ pages for form 9-28 will be available in NJS in the fall of 2015. Once the updated NJS version (with FAQ pages) is available, Workers complete the form in NJS. Upon printing, the FAQ will automatically follow the form. Once this goes live in NJS, the 9-28 will not be utilized in the DCF Policy Manual.

When preparing individual letters, use Local Office letterhead. Send this letter by both Certified and Regular mail.

TIPS FOR COMPLETING THE FORM

The assigned Worker completes CP&P Form 9-28, Notification Letter to Perpetrator (Confirmed), If Child Abuse/Neglect is Substantiated, as follows:

1. Enter the date of the letter, directly under the Local Office address/letterhead.
2. Enter the Substantiated perpetrator's full name and mailing address in the space provided.

Note: If the Substantiated perpetrator is no longer residing in the family home, enter his or her new address (to facilitate sending the letter to his or her current residence).

3. Enter the United States Postal Service Tracking Number. (See Special Note, below. Click to view attachment.)

4. If this is not the "Original Letter," enter the date of the "Second Letter" (the date the letter is sent again, now to a "new" address). Note: There is a drop-down menu that is pre-populated with "Original Letter." Use the second option, "Second Letter Date," when the original letter was returned in the mail due to a faulty address. Enter the date the letter is sent to the "new" address. Write a brief cover letter; indicate that the original Substantiation letter was sent to the address on file, on the date of the Substantiation, but it was returned to the Local Office as "undeliverable." The 20 day appeal window is based on the "date of the second letter."

5. Enter the following information, after "Re:"
   - Each child victim's name;
   - The NJ SPIRIT case identification number;
   - The NJ SPIRIT investigation number.

6. Enter the Substantiated perpetrator's name in the salutation portion of the letter, opposite the word "Dear."

7. Enter the information listed below in the first paragraph of the letter:
   - The date the child protective services report was assigned from the State Central Registry (SCR) to the Local Office;
   - The name of the Local Office assigned the report;
   - Select "child" or "children," to reflect one or more named child victims, as applicable;
   - Select "child abuse," "neglect," or "child abuse and neglect," based on the actual finding determination;
   - The specific allegation or allegations from the Allegation-Based System, Substantiated upon concluding the investigation. Click here to view the list of allegations; and
   - The name of each child who was abused, neglected, or abused and neglected by the Substantiated perpetrator.

   "Child abuse," "neglect," or "child abuse and neglect," as entered above (see 4th dash), will prefill at the bottom of the paragraph after the name of the child is entered as noted in the sixth dash above.

8. Enter the information listed below in the closing of the letter:
   - The Worker's name; and
   - His or her Supervisor's name.

9. Attach the ATTACHMENT to the completed letter (the confidentiality statute, up to date and as amended, N.J.S.A. 9:6-8.10a, Reports and Information of Child Abuse Reports; Confidentiality; Release).

10. Attach a second copy of the letter (for use by the recipient, as an attachment to his or her letter, if he or she seeks to appeal the agency's investigation finding of Substantiated, perpetrator confirmed).

WHEN TO SEND THE LETTER

The Worker and Supervisor sign and send the completed letter to the Substantiated perpetrator no later than ten (10) days from the date upon which the finding determination of Substantiated, perpetrator confirmed, was made, pursuant to N.J.A.C. 10:129-7.6(b). The following exceptions apply, pursuant to N.J.A.C. 10:129-7.6(a), as long as a delay in notice does not appear to put the alleged child victim(s) or other children at risk:

- Delay notice, if law enforcement is also investigating the allegation, when notice may impede the criminal investigation; or
- Delay notification when the Deputy Attorney General has determined that notification would impede litigation.

If unable to conclude an investigation and determine an investigation finding within sixty (60) calendar days of case assignment to the Local Office from SCR, seek an extension in accordance with policy, CP&P-II-C-5-125, Good Cause to Extend Investigations Beyond 60 Calendar Days. Send the finding letter to the Substantiated perpetrator within the thirty (30) calendar day extension period granted by the Supervisor or Casework Supervisor.

SPECIAL NOTE - SEND TWO COPIES OF THE COMPLETED FORM BY BOTH REGULAR AND CERTIFIED MAIL

Send both the original, signed letter, and a copy of the letter to the Substantiated perpetrator via Certified and Regular mail. Retain a copy for the case record.

DISTRIBUTION

Important: Mail the letter on the date it is signed.

Original	-	Substantiated Perpetrator (Certified Mail)
Copy	-	Substantiated Perpetrator (Regular Mail)
Copy	-	Case Record
Copy	-	DAG, when appropriate
Copy	-	County Prosecutor, when appropriate